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Article 9: Environmental Quality Ordinance*("Environmental Impact Report Procedural Ordinance"**added 11-14-1972 by O-10952 N.S.)**(Repealed 11-9-1987 by O-12203 N.S.)**("Environmental Quality Ordinance"**added 11-9-1977 by O-12203 N.S.)***Division 1: Purpose, Intent and Policy***("General" added 11-14-1972 by O-10952 N.S.)**(Repealed 11-9-1977 by O-12203 N.S.)**("Purpose, Intent and Policy"**added 11-9-1977 by O-12203 N.S.)***§69.0101 Purpose**

Pursuant to the California Environmental Quality Act (Public Resources Code, Section 21000, et seq., herein "the Act" or "CEQA") and State CEQA Guidelines Title 14, California Code of Regulations, Section 15000, et seq., herein "the Guidelines" or "State CEQA Guidelines"), it is incumbent upon the City of San Diego as a public agency to protect the interest of the public in securing, maintaining, preserving, protecting, rehabilitating and enhancing the environment within the City of San Diego. This Article has been enacted by the Council to attain that purpose, and to give effect to the Act and the Guidelines within the City of San Diego.

*(Amended 4-6-1992 by O-17753 N.S.)***§69.0102 Citation of Article**

This article shall be known and may be cited as the "Environmental Quality Ordinance of the City of San Diego."

*("Citation of Article" added 11-9-1977 by O-12203 N.S.)***§69.0103 Declaration of Council Findings and Intent**

The Council, concurring with the State Legislature, finds and declares as follows:

- (a) The maintenance of a quality environment for the people of this City now and in the future is a matter of city- wide concern.
- (b) It is necessary to provide a high- quality environment that at all times is healthful and pleasing to the senses and intellect of humans.

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- (c) There is a need to understand the relationship between the maintenance of high quality ecological systems and the general welfare of the people of the City, including their enjoyment of the natural resources of the City.
- (d) The capacity of the environment is limited, and it is the intent of the Council that City agencies take immediate steps to identify any critical thresholds for the health and safety of the people of the City and take all coordinated actions necessary to prevent such thresholds being reached.
- (e) Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.
- (f) The interrelationship of policies and practices in the management of natural resources and waste disposal requires systematic and concerted efforts by public and private interests to enhance environmental quality and to control environmental pollution.
- (g) It is the intent of the Council that all City agencies which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, shall regulate such activities so that major consideration is given to preventing environmental damage.

(Amended 4-6-1992 by O-17753 N.S.)

§69.0104 Declaration of City Policy: Protection of Environmental Quality

The Council, concurring with the State Legislature, further finds and declares that it is the policy of the City to:

- (a) Develop and maintain a high-quality environment now and in the future, and take all actions necessary to protect, rehabilitate, and enhance the environmental quality of the City.
- (b) Take all actions necessary to provide the people of this City with clean air and water, enjoyment of aesthetic, natural, scenic and historic environmental qualities, and freedom from excessive noise.
- (c) Prevent the elimination of fish or wildlife species due to human activity, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California and San Diego history.

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- (d) Ensure that the long-term protection of the environment shall be the guiding criterion in public decisions.
- (e) Create and maintain conditions under which humans and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.
- (f) Require City agencies at all levels to develop standards and procedures necessary to protect environmental quality.
- (g) Require City agencies at all levels to consider qualitative factors as well as economic and technical factors, and long-term benefits and costs in addition to short-term benefits and costs, and to consider alternatives to proposed actions affecting the environment.

(Amended 4-6-1992 by O-17753 N.S.)

§69.0105 Declaration of City Policy: Approval of Projects

The Council, concurring with the State Legislature, further finds and declares that it is the policy of the City that:

- (a) City agencies shall not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.
- (b) The procedures required by this article are intended to assist City and other public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.
- (c) In the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved notwithstanding one or more significant effects thereof.

("Declaration of City Policy: Approval of Projects" added 11-9-1977 by O-12203 N.S.)

§69.0106 Declaration of City Policy: Use of Environmental Impact Reports

In order to achieve the objectives set forth in Section 69.0105 the Council, concurring with the State Legislature, finds and declares that the following policy shall apply to the use of environmental impact reports:

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- (a) The purpose of an environmental impact report is to identify the significant effects of a project on the environment, to identify alternatives to the project, and to indicate the manner in which such significant effects can be mitigated or avoided.
- (b) Each City agency shall mitigate or avoid the significant effects on the environment of projects it approves or carries out whenever it is feasible to do so.
- (c) In the event that specific economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, such project may nonetheless be approved or carried out at the discretion of the City agency, provided that the project is otherwise permissible under applicable laws and regulations.
- (d) In applying the policies of subsections B and C to individual projects, the responsibility of a City agency which is functioning as a lead agency shall differ from that of a City agency which is functioning as a responsible agency. A City agency functioning as a lead agency shall have responsibility for considering the effects, both individual and collective, of all activities involved in a project. A City agency functioning as a responsible agency shall have responsibility for considering only the effects of those activities involved in a project, which it is required by law to carry out or approve.

("Declaration of City Policy: Use of Environmental Impact Reports" added 11-9-1977 by O-12203 N.S.)

§69.0107 Declaration of City Policy: Environmental Review Process

The Council, concurring with the State Legislature, further finds and declares that it is the policy of the City that:

- (a) City agencies integrate the requirements of this article with planning and environmental review procedures otherwise required by law or by local practice so that all such procedures, to the maximum feasible extent, run concurrently, rather than consecutively.
- (b) Documents prepared pursuant to this article be organized and written in such a manner that they will be meaningful and useful to decision-makers and to the public.

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- (c) Environmental impact reports omit unnecessary descriptions of projects and emphasize feasible mitigation measures and alternatives to projects.
- (d) Information developed in individual environmental impact reports be incorporated into a data base which can be used to reduce delay and duplication in preparation of subsequent environmental impact reports.
- (e) Information developed in environmental impact reports covering larger geographical areas be used to contribute to information required in specific environmental impact reports.

("Declaration of City Policy: Environmental Review Process" added 11-9-1977 by O-12203 N.S.)

§69.0108 Incorporation of The Act by Reference

The California Environmental Quality Act and the Guidelines, insofar as applicable, are herein incorporated and made a part of this Article as fully as though set forth herein, and all officers and employees of the City of San Diego are hereby authorized and directed to enforce and comply with each and every applicable provision of said Act and Guidelines.

(Amended 4-6-1992 by O-17753 N.S.)

§69.0109 Definitions

For purposes of this Article, the definitions contained in the Act and the Guidelines apply, except as to the following terms which have the meaning hereby assigned:

- (a) The term "City" has the same meaning as set forth in Section 11.0301(b).
- (b) The term "City agency" means any agency, board, commission, committee, office, department, division or other organizational unit or subunit of the City of San Diego municipal government.
- (c) The term "DEP" means the Development and Environmental Planning Division of the Development Services Department.
- (d) The term "Director" means the Director of the Development Services Department.

(Amended 7-25-1994 by O-18088 N.S.)

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§69.0110 Construction

To the extent of any inconsistency or conflict between the provisions of the Act and Guidelines and the provisions of this Article and procedures adopted pursuant thereto, the provisions of the Act and the Guidelines shall control.

This Article shall be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.
(*“Construction” added 4-6-1992 by O-17753 N.S.*)